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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,687	06/12/2000	Robert Rosko	47004.000074	4829

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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant No.

09/591,687

Applicant(s)

ROSKO ET AL.

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1. In view of the Appeal Brief filed on 9/30/2004, PROSECUTION IS HEREBY REOPENED. The Office Action set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Claims 1-7 and 9-21 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

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Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-4, 6, 7, 9-15, 17 and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Freund, US pat. No.5,987,611 (hereafter Freund).

As to claim 1, Freund discloses a method for accessing one of a plurality of remote service providers (web server 350's of fig.3B can be Internet Service providers) across a network via a single login to a host service provider (320a fig.3B), each of the plurality of remote service providers being accessible through the host service provider, and each of the plurality service providers having separate login procedures requiring data comprising the steps of:

The host service provider (320a fig.3B) receiving the single login (providing remote login from clients 310's fig.3A), the host service provider (see abstract, fig.3B, col.21 line 47 to col.22 line 21).

transmitting data to the remote service provider and directing the user to the remote service provider after the remote service provider exchanging the data to effect a two-sided authentication and the host service provider directing the user to the remote service provider (using authentication server 371 fig.3B for checking client/user ID and password, see col.22 lines 1-59).

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a universal session manager (373 fig.3B) retrieving data from a validation database (374 fig.3B) based on the single login, wherein the data is effective for accessing a remote service provider and is based at least in part on the received username and password (i.e., monitoring user access, col.22 line 23 to col.23 line 55).

As to claims 2 and 10, Freund discloses a trusted service module (372 fig.3B) acts as an intermediary between the host service provider and the trusted service provider (i.e., a secure session transaction with the servers 350's fig.3B, see col.22 lines 1-59).

As to claim 3, Freund discloses receiving the session ID from the trusted service provider (see figs.7A-B, col.24 lines 16-63 and col.25 lines 14-51).

As to claims 4, 6 and 9, Freund discloses placing a text file on the user's network data acquisition module and registering the user with the remote service provider (establishing user-define group, see col.25 line 14 to col.26 line 50).

As to claim 7, Freund further discloses a method for accessing one of a plurality of remote service providers across a network via a single login to a host service provider (320a fig.3B) each of the plurality of remote service providers (350's fig.3B) being accessible through the host service provider, and each of the plurality service providers having separate login procedures requiring data comprising:

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a user system having a network data acquisition module and plurality of remote service providers (350's fig.3B) (see abstract, fig.3B, col.21 line 47 to col.22 line 21).

a universal session manager (373 fig.3B) for receiving a user's ID and password (identification code and password, see col.13 lines 1-31) and passing data required for access to said remote service provider and a validation database (374 fig.3B) for storing information for accessing the remote service provider (using authentication server 371 fig.3B for checking client/user ID and password, see col.22 lines 1-59).

the universal session manager (373 fig.3B) and the remote service provider (350 fig.3B) exchanging the data to effect a two-sided authentication (i.e., processing authentication procedures), the validation database (374 fig.3B) for storing the data for accessing the remote service provider, the universal session manager communicating with the validation database to obtain the data, the host service provider directing the user to the selected one of the plurality of remote service providers and the host service provider directing the user to the remote service provider (i.e., monitoring user access, col.22 line 23 to col.23 line 55).

As to claims 11, 13-15, Freund discloses a remote service provider with access requirements, registration module for receiving data to the services, a login module for gaining access the data for registering a user with the remote service provider (establishing and providing secure users' transactions, see col.22 lines 7-59 and col.24 lines 16-63).

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As to claim 12, Freund discloses an Internet Browser (client application software includes a Web browser, see fig.2, col.7 line 64 to col.8 line 10).

As to claim 17, Freund discloses the remote service provider is a distinct remote site from the host service provider (see fig.3B, col.21 line 57 to col.22 line 34).

As to claims 19-21, Freund discloses the validation database transmitting data to the universal session manager indicating which service the user is enrolled (using database 374 fig.3B for storing record of users) and the single login from the user is performed over a network (see fig.3B, col.21 line 57 to col.22 line 34 and col.24 lines 16-63).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not

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commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 5, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freund as in item 4 above and in view of Kirsch US pat. No.5,963,915.

Freund 's teachings still applied as in item 4 above. Freund does not specifically disclose a triple handshakes and a cookie. However, Kirsch discloses a triple handshakes and a cookie (i.e., providing a cookie and a series of handshake transactions to negotiate the establishment of the secure transactions between the servers, see col.2 lines 1-46 and col.8 lines 12-63). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Kirsch's teachings into the computer system of Freund to process data transaction over the Internet because it would have provided automatic simultaneous purchase transactions handling for both secure and insecure client browsers and increased levels of authentication of data communications in the Internet.

Response to Arguments

7. Applicant's arguments with respect to claims 1-7 and 9-21 have been considered but are moot in view of the new ground(s) of rejection.

Other prior art cited

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Tran, US pat. No.6,505,238.
- b. Harris, US pat. No.6,711,610.
- c. Gutman et al, US pat. No.6,298,383.
- d. Brezak, Jr. et al, US pat. No.6,401,211.

Conclusion

9. Claims 1-7 and 9-21 are *rejected*.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U.S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art unit 2151
12/26/2004